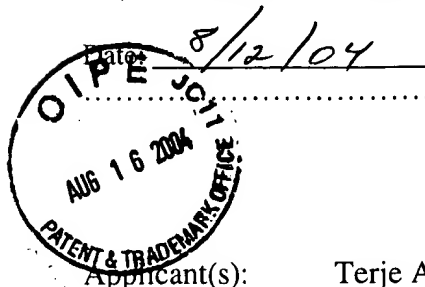


IFW AF  
1746

**CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8**

I, SHARON NANCE, hereby certify that this correspondence, pursuant to 37 C.F.R. §1.8, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:



By Sharon Nance

**IN THE UNITED STATES PATENT AND  
TRADEMARK OFFICE**

Applicant(s):	Terje A. Skotheim, et al.	Docket No.:	57519.00057 (MT0026.3)
Application No.:	09/864,890	Group Art Unit:	1746
Filing Date:	May 23, 2001	Examiner:	Wills, Monique M.
Title:	LITHIUM ANODES FOR ELECTROCHEMICAL CELLS		

**COMMUNICATION REGARDING FINALITY OF OFFICE ACTION**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

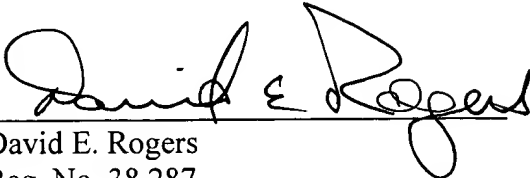
Commissioner:

Per the voice mail message left by Applicant's undersigned representative, Applicant requests that the finality of the Office Action mailed on August 2, 2004 be removed. The Examiner has introduced four new grounds of rejection (claims 16-17 and 19-20 are now rejected under 35 U.S.C. § 102(b) as being anticipated by Kawakami et al.; claims 21-29 are now rejected under 35 U.S.C. § 102(e) as being anticipated by Chu et al., claims 30-34 are now rejected as being obvious over Brodd in view of Stachoviak; claim 35 is now rejected as being obvious over Brodd in view of Chu). In view of the new grounds of rejection it is not proper to issue a final office action. MPEP § 706.07(a). Applicant therefore requests a communication withdrawing the finality of the Office Action.

Applicant's representative would welcome a call at the number listed above if it would assist in the prosecution of this application.

Respectfully submitted,

Date: 8-12-04

  
David E. Rogers  
Reg. No. 38,287

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